BLACKWELL SANDERS PEPER MARTIN

720 Olive Street Suite 2400 St. Louis, MQ 63101 Tel (314) 345-6000 Fax (314) 345-6060 WERSITI: www.blackwcllsonders.com

RECEIVED CENTRAL FAX CENTER

JAN 0 3 2005

FACSIMILE COVER SHEET

DATE:

January 3, 2005

TIME:

4:42 PM

RECIPIENT

FAX NUMBER

COMPANY/FIRM NAME

Parsley

Attn: Examiner David J.

(703) 872-9306

USPTO

PHONE NUMBER

FROM:

Mark E. Stallion

DIRECT DIAL:

(314) 345-6223

DIRECT FAX:

(314) 345-6323

OPERATOR:

Lisa Askew

EXT. No.:

6643

BILLING CODE:

717119-483

TOTAL # OF PAGES: 7

MESSAGE:

Please see the attached.

PRIVILEGED AND CONFIDENTIAL information intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any dissemination, distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original message to us at the above address via the U.S. Mail.

7

PTO/SB21 (03-04)

Approved for use through 7/31/2005. OM5 0851-0031
U.S. Palent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless at displays a valid OMB control number.

TRANSMITTAL **FORM**

Total Number of Pages In This Submission

(to be used for all correspondence after initial filing)

Application Number 10/709,582 Filing Date May 14, 2004 First Named Inventor Johnson, John E. **Art Unit** 3643 **Examiner Name** PARSLEY, DAVID J **Attorney Docket Number** 717119.483

ENCLOSURES (check all that apply)				
Fee Transmittal Form		Drawing(s)		After Allowance Communication TC
Fee Atlached		Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences
Amendment / Reply		Petition		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
After Final		Petition to Convert to a P Application	rovisional	Proprietary Information
Affidavits/declaration(s)		Power of Attorney, Revoc Change of Corresponder		Status Letter
Extension of Time Request		Terminal Disclaimer	Terminal Disclaimer Other Enclosure(s) below); Request for Refund	
Express Abandonment Request		Request for Refund		
Information Disclosure Statement		cD, Number of CD(s)		•
Certified Copy of Priority Document(s)		Landscape Table or	n CD	.,
Response to Missing Parts/ Incomplete Application		Remarks:		•
Response to Missing Parts under 37 CFR 1.52 or 1.53				
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT				
Firm Name Blackwell Sanders Peper Martin, LYF/				
Signature //Aut //A//				
Printed Name Mark E. Stallion				
Date	I Ila	n 03. Z005	Reg. No	0. 46,132
CERTIFICATE OF TRANSMISSION/MAILING				
I hereby certify that this correspondence is being facsimile transmitted to the USPTO to Group Art Unit 3643 at facsimile number 703-872-9306 or deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.				
Signature 500		isa ackew		
Typed or printed name Lis		sa Askew	Date	Mayour 3, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer. U.S. Patent and Tradomark Office, U.S. Department of Commerce, P.O. Box 1450. Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED CENTRAL FAX CENTER

JAN 0 3 2005

PATENT 717119-483

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: John E. Johnson : Examiner: David J. Parsley

Serial No.: 10/709,582 : Group Art Unit: 3643

Filed: May 14, 2004 : Attorney Docket No.: 717119-483

For: Automated Classifier and Meat Cut : Customer No.: 027128

Fat Trimming Method and Apparatus:

: Confirmation No.: 3581 Last Office Action: November 01, 2004 ;

AMENDMENT RESPONSIVE TO EX PARTE QUAYLE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed September 23, 2004, please amend the above-identified application in accordance with the amendments and remarks as set forth herein responsive to the Ex Parte Quayle action.

INTRODUCTION

The Examiner issued an Ex Parte Quayle action noting that the Abstract was to long and further noted two typographical errors. The application has been amended herein to correct these errors. The applicant respectfully asserts that the claims are in condition for allowance. Please enter the amendments as indicated herein.